

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

| | | |
|-----------------------------|---|------------------|
| ----- | X | |
| ENRIQUE FALCON, | : | |
| | : | |
| Plaintiff, | : | |
| -against- | : | |
| | : | 23-CV-8566 (VEC) |
| JP MORGAN CHASE BANK, N.A., | : | |
| | : | <u>ORDER</u> |
| Defendant. | : | |
| ----- | X | |

VALERIE CAPRONI, United States District Judge:

WHEREAS on December 12, 2023, Plaintiff’s counsel filed a motion to withdraw as counsel because “[a]fter review of [Defendant’s] Rule 26 Response it has been determined by [his] office that [he] will be unable to represent the plaintiff in this matter,” *see* Mot. to Withdraw, Dkt. 15;

WHEREAS the motion and accompanying affidavit do not provide any basis as to why counsel is “unable” to represent Plaintiff;

WHEREAS the motion and accompanying affidavit do not state whether counsel has spoken with his client and whether the client consents to the withdrawal;

WHEREAS on December 14, 2023, Plaintiff’s counsel served notice of the motion on his client, *see* Affidavit of Service, Dkt. 14; and

WHEREAS on December 14, 2023, Defendant filed a letter stating that it does not oppose the motion to withdraw, *see* Letter, Dkt. 15;


IT IS HEREBY ORDERED that Plaintiff’s deadline to state whether he objects to withdrawal of counsel is **Friday, January 12, 2024**. If Plaintiff does not object, the case will be stayed for thirty days to allow him an opportunity to find new counsel. If Plaintiff does object,

the Court will order Plaintiff's counsel to provide a more detailed explanation of why "satisfactory reasons" exist for withdrawal, *see* Local Rule 1.4, before ruling on the motion.

IT IS FURTHER ORDERED that, by no later than **Friday, December 22, 2023**, Plaintiff's counsel must serve a copy of this order on Plaintiff and file proof of service on the docket.

SO ORDERED.

Date: December 20, 2023
New York, New York


VALERIE CAPRONI
United States District Judge